



Eric Gonzalez
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[INSERT NAME]
Assistant District Attorney

[INSERT DATE]

[INSERT D/C INFO]

Re: [INSERT CASE NAME]
Kings County Dkt./Ind. No. [#####]

In connection with the above-named case, the People voluntarily provide the following information regarding:

MOS NAME: **JOSEPH SMITH**

MOS TAX: [REDACTED]

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

Disclosure # 1:

THE NYPD ENTERED A DISPOSITION OF OTHER MISCONDUCT NOTED FOR THE FOLLOWING ALLEGATION(S), DATED 03/13/1999, AGAINST MOS SMITH:
ALLEGATION(S):

1. C/W REPORTS THAT HE WAS SEARCHED FOR NO REASON AND HELD FOR 30 MINUTES. HE ALSO REPORTS PROPERTY MISSING AFTER SEARCH.

Disclosure # 2:

MOS SMITH PLED NOLO CONTENDRE TO THE FOLLOWING NYPD DEPARTMENTAL CHARGES AND SPECIFICATIONS:

1. MOS SMITH ASSIGNED TO THE NARCOTICS DIVISION, WHILE ON DUTY ON DECEMBER 15, 2002, AT APPROXIMATELY 1800 HOURS, WHILE IN BRONX COUNTY, DID WRONGFULLY ABUSE HIS AUTHORITY AS A MEMBER OF THE NEW YORK POLICE DEPARTMENT, TO WIT: DID STOP AND QUESTION PERSONS IDENTITY KNOWN TO THIS DEPARTMENT, WITHOUT REQUISITE LEGAL AUTHORITY.
2. MOS SMITH ASSIGNED TO THE NARCOTICS DIVISION, WHILE ON DUTY ON DECEMBER 15, 2002, AT APPROXIMATELY 1800 HOURS, WHILE IN BRONX COUNTY, DID WRONGFULLY ABUSE HIS AUTHORITY AS A MEMBER OF THE NEW YORK CITY POLICE DEPARTMENT, TO WIT: DID SEARCH A VEHICLE WITHOUT REQUISITE LEGAL AUTHORITY.
3. MOS SMITH ASSIGNED TO THE NARCOTICS DIVISION, WHILE ON DUTY ON DECEMBER 15, 2002, AT APPROXIMATELY 1800 HOURS, WHILE IN BRONX COUNTY, DID WRONGFULLY ABUSE HIS AUTHORITY AS A MEMBER OF THE NEW YORK CITY POLICE DEPARTMENT, TO WIT: DID THREATEN TO ARREST A PERSONS, IDENTITY KNOWN TO THIS DEPARTMENT, WITHOUT PROPER POLICE NECESSITY.
4. MOS SMITH ASSIGNED TO THE NARCOTICS DIVISION, WHILE ON DUTY ON DECEMBER 15, 2002, AT APPROXIMATELY 1800 HOURS, WHILE IN BRONX COUNTY, WAS WRONGFULLY DISCOURTEOUS TO PERSONS, IDENTITIES KNOWN TO THIS DEPARTMENT.
5. MOS SMITH ASSIGNED TO THE NARCOTICS DIVISION, WHILE ON DUTY ON DECEMBER 15, 2002, AT APPROXIMATELY 1800 HOURS, WHILE IN BRONX COUNTY, DID WRONGFULLY ABUSE HIS AUTHORITY AS A MEMBER OF THE NEW YORK POLICE DEPARTMENT, TO WIT: DID THREATEN TO ISSUE A SUMMONS TO A PERSON, IDENTITY KNOWN TO THIS DEPARTMENT, WITHOUT PROPER POLICE NECESSITY.
6. MOS SMITH ASSIGNED TO THE NARCOTICS DIVISION, WHILE ON DUTY ON DECEMBER 15, 2002, AT APPROXIMATELY 1800 HOURS, WHILE IN BRONX COUNTY, DID WRONGFULLY ABUSE HIS AUTHORITY AS A

MEMBER OF THE NYPD, TO WIT: DID FRISK AND SEARCH A PERSON, IDENTITY KNOWN TO THE DEPARTMENT, WITHOUT REQUISITE LEGAL AUTHORITY.

CASE STATUS: CLOSED ON 12/03/2007

ACTION TAKEN: FORFEITURE OF TWENTY-FIVE (25) VACATION DAYS

Disclosure # 3:

MOS SMITH PLED NOLO CONTENDRE TO THE FOLLOWING NYPD DEPARTMENTAL CHARGES AND SPECIFICATIONS:

1. MOS SMITH ASSIGNED TO THE NARCOTICS DIVISION BRONX CENTRAL, WHILE ON DUTY NOVEMBER 24, 2002, ON OR ABOUT 1415 HOURS, WHILE IN BRONX COUNTY, DID WRONGFULLY USE EXCESSIVE FORCE AGAINST INDIVIDUALS IDENTITIES KNOWN TO THIS DEPARTMENT, TO WIT: HE DID POINT HIS FIREARM AT SAID INDIVIDUALS WITHOUT POLICE NECESSITY.
2. MOS SMITH ASSIGNED TO THE NARCOTICS DIVISION BRONX CENTRAL, WHILE ON DUTY NOVEMBER 24, 2002, ON OR ABOUT 1415 HOURS, WHILE IN BRONX COUNTY, DID WRONGFULLY ABUSE HIS AUTHORITY AS A MEMBER OF THE NEW YORK CITY POLICE DEPARTMENT TO WIT: HE WRONGFULLY SEARCHED INDIVIDUALS, IDENTITIES KNOWN TO THE DEPARTMENT, WITHOUT SUFFICIENT LEGAL AUTHORITY.
3. MOS SMITH ASSIGNED TO THE NARCOTICS DIVISION BRONX CENTRAL, WHILE ON DUTY NOVEMBER 24, 2002, ON OR ABOUT 1415 HOURS, WHILE IN BRONX COUNTY, DID WRONGFULLY ABUSE HIS AUTHORITY AS A MEMBER OF NYPD, TO WIT: HE WRONGFULLY DETAINED AN INDIVIDUAL, IDENTITY KNOWN TO THE DEPARTMENT WITHOUT SUFFICIENT LEGAL AUTHORITY.
4. MOS SMITH ASSIGNED TO THE NARCOTICS DIVISION BRONX CENTRAL, WHILE ON DUTY NOVEMBER 24, 2002, ON OR ABOUT 1415 HOURS, WHILE IN BRONX COUNTY, DID WRONGFULLY USE EXCESSIVE FORCE AGAINST INDIVIDUALS, IDENTITIES KNOWN TO THE DEPARTMENT.
5. MOS SMITH ASSIGNED TO THE NARCOTICS DIVISION BRONX CENTRAL, WHILE ON DUTY NOVEMBER 24, 2002, ON OR ABOUT 1415 HOURS, WHILE IN BRONX COUNTY, WAS DISCOURTEOUS TO AN INDIVIDUAL KNOWN TO THE DEPARTMENT
6. MOS SMITH ASSIGNED TO THE NARCOTICS DIVISION BRONX CENTRAL, WHILE ON DUTY NOVEMBER 24, 2002, ON OR ABOUT 1415 HOURS, WHILE IN BRONX COUNTY, DID ABUSE HIS AUTHORITY AS A MEMBER OF THE NYPD.
7. MOS SMITH ASSIGNED TO THE NARCOTICS DIVISION BRONX CENTRAL, WHILE ON DUTY NOVEMBER 24, 2002, ON OR ABOUT 1415 HOURS, WHILE IN BRONX COUNTY, DID WRONGFULLY AND WITHOUT JUST CAUSE MAKE IMPROPER REMARKS ABOUT AN INDIVIDUAL'S ETHNICITY.
8. MOS SMITH DID WRONGFULLY AND WITHOUT JUST CAUSE FAIL TO PROVIDE HIS NAME AND SHIELD NUMBER TO A MEMBER OF THE PUBLIC, WHEN REQUESTED.
9. MOS SMITH DID FAIL TO OBTAIN MEDICAL TREATMENT FOR A PERSON, IDENTITY KNOWN TO THE DEPARTMENT.
10. MOS SMITH DID WRONGFULLY ABUSE HIS AUTHORITY TO WIT: HE DID SEARCH A VEHICLE WITHOUT THE REQUISITE LEGAL AUTHORITY.
11. MOS SMITH DID WRONGFULLY ABUSE HIS AUTHORITY HE AUTHORIZED THE STOP AND QUESTIONING OF AN INDIVIDUAL, IDENTITY KNOWN TO THE DEPARTMENT, WITHOUT REQUISITE LEGAL AUTHORITY.
12. MOS SMITH ASSIGNED TO THE NARCOTICS DIVISION BRONX CENTRAL, WHILE ON DUTY NOVEMBER 24, 2002, ON OR ABOUT 1415 HOURS, WHILE IN BRONX COUNTY, HAVING FRISKED AN INDIVIDUAL, DID THEREAFTER FAIL AND NEGLECT TO PREPARE A STOP, QUESTION AND FRISK REPORT, AS REQUIRED.

ACTION TAKEN: FORFEITURE OF TWENTY-FIVE (25) VACATION DAYS

Eric Gonzalez
District Attorney
Kings County